

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

|                           |   |                           |
|---------------------------|---|---------------------------|
| LYNDA GAULDEN, ,          | ) |                           |
|                           | ) |                           |
| Petitioner,               | ) |                           |
|                           | ) |                           |
| vs.                       | ) | No. 1:14-cv-01497-TWP-TAB |
|                           | ) |                           |
| UNITED STATES OF AMERICA, | ) |                           |
|                           | ) |                           |
| Respondent.               | ) |                           |

**ENTRY AND NOTICE**

This is an action for relief pursuant to 28 U.S.C. § 2255 brought by the petitioner on September 12, 2014 challenged her conviction in No. 1:12-cr-00212-TWP-TAB-03. The § 2255 action was dismissed on December 9, 2015 based on the Court's determination that a waiver provision in the petitioner's plea agreement was enforceable and precluded her from challenging her conviction. [Dkt. 7]. Final judgment was entered on that same date. [Dkt. 8].

Following the denial of relief, no appeal was filed and there was no filing until June 20, 2016, on which date the petitioner filed a motion for attorney representation.

The Motion for Attorney Representaion [Dkt. 9] is **DENIED**. The reasons for this ruling are that the action is closed, no substantive post-judgment motion is pending, no claim was left unresolved when final judgment was docketed, and the motion fails to identify any proceeding in which the defendant would require representation. These are thus circumstances in which it is not in the interests of justice that counsel be appointed to represent the petitioner. *See* 18 U.S.C. § 3006A(a)(2)(B) ("Whenever . . . the court determines that the interests of justice so require, representation may be provided for any financially eligible person who . . . is seeking relief under section 2241, 2254, or 2255 of title 28.").

IT IS SO ORDERED.

Date: 7/5/2016

A handwritten signature in black ink, reading "Tanya Walton Pratt", is positioned above a horizontal line.

TANYA WALTON PRATT, JUDGE  
United States District Court  
Southern District of Indiana

Distribution:

Electronically Registered Counsel

LYNDA GAULDEN  
11110-028  
ALDERSON FEDERAL PRISON CAMP  
Inmate Mail/Parcels  
GLEN RAY RD. BOX A  
ALDERSON, WV 24910